

## **§52 PROCEDURES** *Revised 08-25-08*

### **52-1 Purpose**

The Commission, in reviewing any subdivision maps, and the person, firm or corporation proposing a subdivision shall follow the provisions hereinafter specified. Applications shall be considered in accordance with the procedures adopted by the Commission, as amended from time to time.

### **52-2 Submission of Required Materials**

All maps, plans, documents and data required by these regulations shall be presented to the Commission or its designated agent(s) at the Commission Office.

### **52-3 Required Materials**

**52-3.1** Before the Commission shall consider an application for a subdivision, all the required maps, plans and documents set forth in §52-4 shall be submitted by the applicant.

**52-3.2** The applicant shall also obtain and submit any required report or document set forth in §52-5 at least fourteen (14) days prior to the public hearing or Commission Review. If any such report or document has not been submitted, the Planning Staff shall so notify the Commission.

### **52-4 Applications**

#### **52-4.1 Application Forms**

Application for approval of a subdivision shall be made to the Commission in writing on forms prescribed by the Commission. The application shall be signed by the applicant, and if the subdivision is proposed by an applicant other than owner of the land to be subdivided, the application shall be signed by the owner.

#### **52-4.2 Fee**

All applications shall be accompanied by a fee, pursuant to an adopted Fee Schedule, to cover the cost of processing the application. Said fee shall be made payable to the Town of Westport at the time of filing the application.

#### **52-4.3 Map of Existing Conditions**

All applications shall be accompanied by a map of existing conditions, the proposed general layout of the subdivision and a tentative layout of all contiguous land of the applicant that may be subdivided in the future, prepared by and bearing the seal of a land surveyor or engineer, licensed to practice in the State of Connecticut. Ten (10) prints of the map shall be submitted to the Commission. The map shall show the following:

- 52-4.3.1 Existing buildings and structures and existing and proposed property lines, street lines, zoning district boundary line, easements and rights-of-way with dimensions.

- 52-4.3.2 Adjoining property lines for a distance of one hundred (100) feet from the perimeter of the subdivision and the names of owners, as shown on tax assessment records, but within two hundred fifty (250) feet of the subdivision.
- 52-4.3.3 Existing and proposed waterbodies, watercourses, wetland boundaries, mean high water line, extreme high tide line and channel encroachment lines.
- 52-4.3.4 Existing and proposed street lines.
- 52-4.3.5 Existing and proposed building locations (footprint), driveways, parking areas, storm drains, sanitary sewers, septic systems, and reserve areas, water wells, catch basins, manholes, bridges, headwalls, utility poles and lines, high pressure gas lines and electric high tension lines, and all other structures pertaining to streets, drainage, sewers, utilities and site development.
- 52-4.3.6 Proposed lot arrangement and lot numbers.
- 52-4.3.7 Existing contours at an interval not exceeding two (2) feet based on Town datum with source of the contours noted on the map.
- 52-4.3.8 Key elevations of existing adjoining roads and spot elevations showing proposed grading of proposed roads within the subdivision.
- 52-4.3.9 Location of percolation test holes and all test pits.
- 52-4.3.10 Existing and proposed parks, recreation areas and open spaces.
- 52-4.3.11 Principal wooded areas, open areas and other specimen trees of more than 12" caliper measured four feet off the ground and mature evergreens of ornamental quality and any ledge outcrops and existing stone walls and fences.
- 52-4.3.12 Location map [scale one (1) inch equals eight hundred (800) or one thousand (1,000) feet] showing location of subdivision and relation to primary roads in town.
- 52-4.3.13 Name of subdivision and applicant and names of those having any beneficial interests.
- 52-4.3.14 Title, date, graphic scale, name of Town and north point
- 52-4.3.15 Name of engineer or surveyor preparing map.
- 52-4.3.16 The map shall be drawn to a scale of not smaller than one hundred (100) feet to the inch.

#### **52-4.4 Subdivision Map**

A subdivision map, prepared by and bearing the seal of a land surveyor or engineer, licensed to practice in the State of Connecticut, certifying that the accuracy of the information on the map meets standards for a "Class A-2 Transit Survey" of the Connecticut Technical Council, Inc. shall be submitted. The map shall not exceed twenty-four by thirty-six inches (24"x36"), shall be drawn to a scale not smaller than one hundred (100) feet to the inch and shall be drawn with black waterproof ink on good quality linen or mylar. Ten (10) paper prints of the map shall be submitted

to the Commission. If the map is not drawn at a scale of one hundred (100) feet to the inch, a Photostat reduction of the map to one hundred feet (100) to the inch shall also be submitted when the mylar is brought in for endorsement. The map shall show the following:

- 52-4.4.1 Existing buildings and structures and existing and proposed property and street lines.
- 52-4.4.2 Adjoining property lines and the names of adjoining owners as shown on tax assessment records, including those within two-hundred fifty (250) feet of the subdivision.
- 52-4.4.3 Waterbodies, watercourses, rights-of-way, wetlands boundaries, mean high water line, extreme high tide line and channel encroachment lines and the first twenty (20) feet of existing and proposed driveways.
- 52-4.4.4 Existing and proposed parks, recreation areas and open space.
- 52-4.4.5 Proposed lots, proposed lot numbers in a circle symbol and new street address numbers in a hexagon symbol.
- 52-4.4.6 All dimensions and all bearings or angles on all property lines, proposed lots, street lines, easements, rights-of-way, parks, recreation areas and open spaces.
- 52-4.4.7 The central angle, tangent distance and radius of all arcs.
- 52-4.4.8 The width of all streets, rights-of-way and easements.
- 52-4.4.9 The square footage and acreage of all lots, parks, recreation areas, playgrounds and open spaces including lot area calculations as defined herein.
- 52-4.4.10 The minimum required setback lines and rectangle shall be drawn in all proposed lots including rectangle area calculations as defined herein.
- 52-4.4.11 Existing and proposed street names and street monument sites.
- 52-4.4.12 The designation "Private" on any proposed private street or right-of-way.
- 52-4.4.13 The survey relationship of proposed streets to nearby monumented town or state highways or to nearby subdivisions if any such highways or subdivisions
- 52-4.4.14 Title, date, graphic scale, name of Town and north point.
- 52-4.4.15 The words "Approved by the Director of Health" with a designated place for the signature of the Director and date of signing, or the words "Approved by the Westport Water Pollution Control Authority" with a place for the signature of the head of the Authority and date of signing.
- 52-4.4.16 The words "Approved by the Planning and Zoning Commission" with a designated place for the signature of the Chairman or Secretary and date of endorsement.

- 52-4.4.17 The words "Work Completion Date" with a designated place for the five-year expiration date.
- 52-4.4.18 The error of closure, which shall not exceed one (1) in five thousand (5,000).
- 52-4.4.19 An index map if the proposed subdivision is divided into sections or is of such size that more than one (1) sheet is required.
- 52-4.4.20 A location map [scale one (1) inch equals eight hundred (800) or one thousand (1,000) feet] showing the location of the subdivision and relation to primary roads in town.
- 52-4.4.21 The words "Subdivision Approval" with a designated place for the date of approval.

#### **52-4.5 Construction Plans**

All applications shall be accompanied by plan and profile drawings of all proposed streets, sight lines, street trees, storm drains, sanitary sewers, catch basins, manholes, ditches, waterbodies, watercourses, headwalls, sidewalks, curbs, gutters, bridges, culverts, underground utilities and all other structures pertaining to streets, drainage and sewers. Plan and profile drawings shall be submitted on good quality linen or mylar, shall not exceed twenty four (24) x thirty six (36) inches in size, and shall be drawn to a horizontal scale of one (1) inch to forty (40) feet and vertical scale of one(1) inch to four (4) feet. Profile drawings and elevations shall be based on town datum. In the case of streets, sample road cross sections shall be shown and the profiles shall show the existing grades and proposed elevations at the center line and both street lines. The depth, invert, slope and size of all pipes, ditches, ponds and streams shall be shown. Detail drawings of any bridges, box culverts, deep manholes, street signs, traffic signs and other special structures shall also be submitted. Ten (10) black line or blue line prints of the construction plans shall be submitted and shall bear the seal of a land surveyor or engineer licensed to practice in the State of Connecticut.

#### **52-4.6 Grading Plans**

In the event that any major regrading, cuts, fills, or soil or rock removal is proposed in the area of the subdivision, an application shall be accompanied by a grading plan showing existing contours, proposed contours, the estimated amount of material to be added or removed and the proposed layout of streets, lots, park and recreation areas, trees and drainage, at a scale of not less than one hundred (100) feet to the inch. The Commission may require the grading plan to show the proposed location of the septic system, reserve area, buildings, structures, parking areas and driveways. The contour interval shall not exceed two (2) feet and shall be based on Town datum. Ten (10) black line or blue line prints of the grading plan shall be submitted and shall bear the seal of a land surveyor or engineer licensed to practice in the State of Connecticut.

**52-4.7 Notice Mailing**

- 52-4.7.1 A list of names and addresses of all property owners within two hundred fifty (250) feet of the subject property, shall be submitted.
- 52-4.7.2 Certificates of Mailing for each such property owner as shown on the tax assessment records as of the date of application submission. Each property owner shall receive a notice indicating that an application has been submitted to the Planning & Zoning Commission.

**52-5 Other Reports and Documents**

The applicant shall also obtain and submit to the Commission such of the following reports and documents as are applicable.

**52-5.1 Water Pollution Control Authority Certificate**

When the subdivision is to be served by sanitary sewers, a statement from the Westport Water Pollution Control Authority and State Department of Environmental Protection, where applicable, shall be submitted, certifying that the plans for sanitary sewers and appurtenances have been approved by the Authority and/or the Department of Environmental Protection.

**52-5.2 Health Certificate**

When the subdivision is not served by sanitary sewers and/or by public water supply, a statement from the Director of the Westport-Weston Health District shall be submitted certifying that the land to be subdivided and the subdivision plans are satisfactory for private sewage disposal and water supply systems. The Director's approval shall be endorsed on the subdivision map prior to the Commission's endorsement.

**52-5.3 Conn. DOT Permits**

Where a proposed street, driveway or drainage system joins with a state highway, the applicant shall obtain a permit for such connection from the Connecticut Department of Transportation and shall present a copy of such permit to the Commission.

**52-5.4 Easements and Deeds**

Easements for sanitary sewers and public rights-of-way, and easements for storm drainage and watercourses draining existing or proposed public or private streets that may be constructed in the future, shall be confirmed by written easements and deeds describing the land involved and privileges of the Town in a form eliminating any Town liability for installation and maintenance and shall be satisfactory to the Town Attorney. Such easements and deeds shall be submitted to the Commission.

#### **52-5.5 Subdivision Within the Coastal Area**

Any subdivision proposed to be located within the Coastal Area as defined in Sec. 4 of the CAM Act shall be subject to a Coastal Site Plan Review pursuant to § 31-8 Coastal Area Regulations of the Westport Zoning Regulations.

#### **52-5.6 Archeological Report For Certain Subdivisions**

Any subdivision of five (5) lots or more, or of five (5) or more acres will require a site investigation to identify historically, archaeologically and/or paleontological sensitive areas and/or actual sites within the proposed subdivision area, unless the professional determines in writing that such investigation is unnecessary. The Commission may require said investigation for smaller subdivision if deemed necessary. The investigation is to be undertaken by or under the supervision of a professional, such as a professional archaeologist, or other professional with similar credentials. A complete report of the investigation shall be submitted to the Commission. The report is not limited to, but shall include the information required in §44-2.7 of the Zoning Regulations.

#### **52-5.7 Sediment and Erosion Control Plan**

A sediment and erosion control plan shall be required pursuant to §37-1 herein for all subdivision applications where the cumulative area(s) of disturbance is one half (1/2) acre or more; and may be required for applications with less than one half (1/2) acre of disturbed area(s) if deemed necessary by the Planning and Zoning Commission.

### **52-6 Standards For Subdivisions in Flood Hazard Areas**

In all special flood hazard areas, the following requirements shall apply:

52-6.1 All subdivision proposals shall be consistent with the need to minimize flood damage;

52-6.2 All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

52-6.3 All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;

52-6.4 In Zone A, base flood elevation data shall be provided for subdivision proposals and other proposed development.

### **52-7 Other Evidence**

Other evidence may be required, if necessary for the Commission's determination, establishing that the land to be subdivided is of such character that it can be used for building purposes without danger to health or the public safety or alteration of significant archeological, historical and/or paleontological resources (significance to be determined by the State Historic Preservation Officer), that the proper provision will be made for water, drainage and sewerage and, in areas contiguous to wetlands, brooks, rivers or other areas subject to flooding, that proper provision will be made for protective flood control measures, that in places deemed proper by the Commission

open space for parks and playgrounds will be established and if the Commission shall have adopted a Town Plan of Development affecting the area of the proposed subdivision, that any proposed street shown on the subdivision plan is in harmony with existing or proposed streets shown on said plan, especially in regard to safe intersections with such streets.